IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(*Special Original Jurisdiction*)

TUESDAY, THE FOURTH DAY OF DECEMBER
TWO THOUSAND AND SEVEN.

P R E S E N T

THE HON'BLE SRI JUSTICE P.S. NARAYANA

* * *

WRIT PETITION No. 24511 of 2007

Between:

P.Dedeepya Gurunadha Prasad … Petitioner

Versus

The Govt. of Andhra Pradesh
Dept. of Mines & Geology,
The Dist.Level Sand Committee
Represented by its Member Convenor,
Vijayawada, Krishna district & Ors. … Respondents

Counsel for the Petitioner: SRI CVR RUDRA PRASAD

Counsel for the Respondents: GP for Irrigation
GP for Mines & Geology
Sri Kurti Bhaskar Rao

THE HON'BLE SRI JUSTICE P.S. NARAYANA

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WRIT PETITION No. 24511 of 2007

O R D E R :

Notice before admission was ordered on 22-11-2007.

2. Heard both the counsel. .

3. The writ petition is filed for a writ of mandamus declaring the Resolution no.3 dated 08-10-2007 passed by the first respondent and the consequential order of the second respondent dated 15-10-2007 in LR.No.1015/Q/07 in granting transport permits for a period of 33 days by way of extension in favour of the fourth respondent for excavation of sand from Illuru sand reach, Thotlavalluru Mandal, Krishna district, as arbitrary, illegal, colourable exercise of power, favourtisim shown by a group of public servants to an individual against the rules in vogue, misinterpretation of the order of this court dated 22-8-2007 made in WP.No.5552 of 2005, apart from being violative of the AP Minor Mineral Concession Rules, 1966 and the AP Water, Land and Trees Act, 2002 and the Rules made thereunder and violative of the Fundamental Rights guaranteed under Articles

14, 19 and 21 of the Constitution of India and issue a consequential direction to respondents to conduct public auction after following due process of law in respect of Illuru Sand Reach and to pass such other suitable orders as this Court deems fir and proper in the circumstances of the case.

4. Several facts had been narrated in the affidavit filed in support of the writ petition.

5. The learned Assistant Govt.Pleader for Industries would submit that in view of Rule-9L of the present Rules, no extension can be grant but however, in-as-much-as the period is over virtually the writ petition became infructuous.

6. The stand taken by the learned Assistant Govt.Pleader for Industries that no extension can be granted in the light of Rule-9L of the present Rules is hereby recorded in-as-much-as it is also brought to the notice of this court that in a way the writ petition became infructuous because of lapse of time, the writ petition to be closed.

7. The writ petition is accordingly closed. No costs.

JUSTICE P . S .
NARAYANA .

04/12/2007.

NB: Furnish CC of the Order tomorrow.
B/o. IsL